

Approved by: 

ANDREA MILLS

Special Assistant United States Attorney

Before:

THE HONORABLE KIM P. BERG
United States Magistrate Judge
Southern District of New York



- - - - -X	
UNITED STATES OF AMERICA	: MISDEMEANOR
	: <u>COMPLAINT</u>
	:
	: Violation of
-v-	: 38 C.F.R. 1.218(a)(7)
	:
KENNETH W. GOSHORN	: 24MAG1753 (KPB)
	:
Defendant	: COUNTY OF OFFENSE:
	: WESTCHESTER
	:
- - - - -X	

SOUTHERN DISTRICT OF NEW YORK, ss:

ANTHONY LUCIANO, being duly sworn, deposes and says that he is a Police Officer, assigned to the Department of Veterans Affairs Police Service, Montrose Veterans Administration Hospital, Montrose, New York, which is located in the Southern District of New York, and charges as follows:

COUNT ONE

On or about December 24, 2023, at the Montrose Veterans Administration Hospital, Montrose, New York, within the special maritime and territorial jurisdiction of the United States, in the Southern District of New York, KENNETH W. GOSHORN, the defendant, unlawfully, knowingly and willfully entered the Veterans Administration property under the influence of alcohol, to-wit: the defendant was given a breathalyzer while on while on VA property and the results were a BAC of .169.

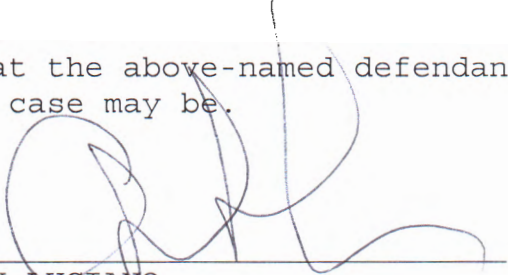
(38 Code of Federal Regulations, 1.218(a)(7))

The basis for the deponent's knowledge and for the foregoing charges are, in part, as follows:

1. I am a Police Officer, assigned to the Department of Veterans Affairs Police Service, Montrose Veterans Administration Hospital, Montrose, New York, which is located in the Southern District of New York.
2. Upon information and belief, on or about December 24, 2023 at approximately 08:06 a.m., a Behavioral Health Response was activated in Building 5 hallway. Upon arrival, PO Rios made contact with Ms. Delfina Adams, who stated that she was being harassed by the defendant and she provided a description of the defendant. PO Facchiano and PO Rios conducted a search of the area in building and did not locate the defendant.
3. The defendant was ultimately spotted in front of Building 3 and PO Facchiano attempted to get the defendant's attention by shouting his name and the defendant ran into Building 3 and couldn't be found. PO Facchiano searched buildings 15, 14, 13, 12 and courtyard and could not locate the defendant.
4. PO Rios conducted a search in the outpatient clinics in building 3 and could not locate the defendant. At 09:02 a.m., Fire Fighter Ferguson spotted the defendant outside of building 16 and contacted the police via the radio on his location. At 09:03 a.m., PO Rios and PO Facchiano met with the defendant in the parking lot of building 16. The defendant changed his clothing and appeared to be under the influence of alcohol and during their approach the defendant admitted to being the under the influence of alcohol. PO Rios searched the defendant taking the defendant into custody and transported to police operations.
5. At 09:22 a.m., Dr. Igboechi and Nurse Opunsunju came to police operations to evaluate the defendant. After the evaluation, Dr. Igboechi indicated that the defendant was refusing treatment and wanted to go home. RN Alabede performed a breathalyzer test on the defendant and the reading came back with a BAC of .169. At 09:40 a.m., Dr. Igboechi, RN Opunsunju and EMS Supervisor agreed to send the defendant home via a cab.
6. The defendant was fingerprinted and photographed and issued a United States District Court Violation Notice for

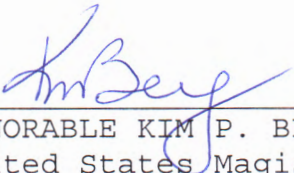
entering the VA property under the influence of alcoholic beverages (DCVN Number 9044806/SY53).

WHEREFORE, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



ANTHONY LUCIANO
VA Police Service

Sworn to before me this
3rd day of May, 2024



HONORABLE KIM P. BERG
United States Magistrate Judge
Southern District of New York